

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA) No.
)
) Violations: Title 18, United States Code,
) Sections 2, 1341, 1346 and 1623(a).
)
ALFRED SANCHEZ and)
AARON DELVALLE)

COUNT ONE

The SPECIAL AUGUST 2006-2 GRAND JURY charges:

1. At times material to this indictment:

A. The City of Chicago (“the City”) was a municipal corporation, and a political subdivision of the State of Illinois. The functions and services provided by the City on behalf of its residents were coordinated through various agencies and departments.

i. The Department of Streets and Sanitation (“Streets and Sanitation”) was the largest of the operating departments, employing approximately 4000 individuals. Streets and Sanitation was responsible for garbage collection, snow removal, street sweeping, rodent abatement, street lamp maintenance, graffiti removal, and tree trimming and planting.

ii. Until approximately 1999, the Mayor’s Office of Inquiry and Information (“I&I”) was an operating department employing less than 100 individuals. I&I was responsible for non-emergency police complaints and city service requests.

iii. The Mayor’s Office of Intergovernmental Affairs (“IGA”) was a department within the Office of the Mayor. IGA functioned in part as a liaison between the Mayor’s Office and other units of government.

iv. The Department of Personnel was a department that accepted incoming bids and applications, determined applicant eligibility, and coordinated various components of the hiring and promotion process across the City's operating departments.

The City's Hiring and Promotion Process

B. Pursuant to City ordinances, personnel procedures and collective bargaining agreements, the City mandated a formal process whereby individuals were hired or promoted to certain non-policymaking positions in City employment. The formal process within Streets and Sanitation and I&I, among other operating departments, included the following steps:

i. Applicants who met the requisite minimal qualifications for a position could apply to be placed on an eligibility list created and maintained by the Department of Personnel. For some positions, interested applicants were entitled to apply for the eligibility list during certain limited "open" periods, after which time, the application process was "closed" for that particular position.

ii. From eligibility lists generated by the Department of Personnel, officials "screened" the applicant pool for certain positions to identify a subset of candidates to be interviewed for the available positions.

iii. Interviews of applicants were to be conducted for non-policymaking jobs after the "screening" process. The interviews were typically to be conducted by one or more supervisory officials within the operating department.

iv. Interviewers were to complete rating forms for the applicants interviewed. The particular rating form identified hiring criteria for the position and allowed the interviewer to grade the applicant on a numerical scale for each criterion. The score was multiplied

by the criterion's importance. The scores were tallied, and an average of the panelists' scores was used to obtain a final score for each candidate.

v. Those candidates with the highest scores were selected for the position.

vi. The winning candidates were notified by the City of their selection.

vii. In conjunction with each hiring sequence for non-policymaking positions, responsible officials within the operating department were to sign a certification attesting that political considerations did not enter into the hiring process for that particular sequence (the "*Shakman* certification").

C. Within Streets and Sanitation and I&I, hiring needs for non-policymaking positions were filled throughout the year as circumstances warranted through various hiring sequences, each of which was to be conducted pursuant to the formal process. In most years, Streets and Sanitation also engaged in "mass" hiring sequences for certain non-policymaking positions, including motor truck driver ("MTD") and laborer, among others. For some of the mass hiring sequences, approximately one hundred individuals would be selected for hire simultaneously from the total applicant pool. Traditionally, the positions of MTD and laborer were in high demand, and thus the number of applicants seeking the position greatly outweighed the number of available positions.

Applicable Laws and Duties

D. The laws and duties that applied to City employees included the provisions set forth in paragraphs 1(D) through 1(H) of Count One of this indictment. Pursuant to Section 2-74-050 of the Chicago Municipal Code, personnel rules for City employment were codified by law,

including public notice, and the selection of persons based on their “relative fitness” and “job-related selections procedures,” and including provisions for ranking applicants. Section 2-74-090 provides that no person “shall make any false statement, certification, mark [or] rating . . . with regard to any test, certification or appointment . . . or in any manner commit or attempt to commit any fraud [or] prevent the impartial execution of this ordinance. . . .” It also provides that no person “shall defeat, deceive or obstruct any person in his right to examination, eligibility, certification or appointment under this ordinance”

E. Pursuant to 720 ILCS § 5/33E-15, it was a violation of Illinois law for “[a]ny officer, agent, or employee of, or anyone who is affiliated in any capacity with any unit of local government . . . [to] make[] a false entry in any book, report, or statement of any unit of local government . . . with the intent to defraud the unit of local government” Pursuant to 720 ILCS § 5/33-3(b), it was unlawful for any public officer or employee to knowingly perform an act which he knows he is forbidden by law to perform.

F. Pursuant to orders and decrees entered by the United States District Court for the Northern District of Illinois, Eastern Division, on May 5, 1972, and June 20, 1983, in the case of *Shakman, et al. v. The Democratic Organization of Cook County, et al.*, 69 C 2145, City employees were permanently enjoined from directly or indirectly, in whole or in part:

i. conditioning, basing, or knowingly prejudicing or affecting any term or aspect of governmental employment, with respect to one who is at the time already a governmental employee, or affecting the hiring of any person as a governmental employee (other than for positions exempt from the *Shakman* decrees), upon or because of any political reason or factor including, without limitation, any prospective employee’s political affiliation, political

support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such prospective employee's political sponsorship or recommendation; and

ii. knowingly inducing, aiding, abetting, participating in, cooperating with or encouraging the commission of any act which is proscribed by the orders and decrees.

G. Pursuant to the Constitution of the State of Illinois, all employees of the City were permitted to use public funds, property and credit only for public purposes.

H. During their respective employments with the City, and pursuant to the Chicago Governmental Ethics Ordinance, defendant ALFRED SANCHEZ, Aaron Delvalle and other City employees each owed a duty of honest services to the City and the people of the City in the performance of their respective public duties, including actions taken with respect to the hiring and promotion process.

Defendant and Certain Co-Schemers

2. Beginning in approximately August 1989 and continuing through approximately June 2005, defendant ALFRED SANCHEZ was a full-time salaried employee of the City.

A. From August 1989 through August 1990, SANCHEZ was employed in the personnel function of the Department of Health.

B. From approximately August 1990 through August 1995, SANCHEZ was a high-ranking official of I&I, ultimately attaining the title of First Deputy Director of I&I. As an I&I official, SANCHEZ performed certain personnel-related responsibilities in I&I's hiring process.

C. Beginning in or about August 1995, SANCHEZ became an employee of Streets and Sanitation and held the title of Deputy Commissioner of Sanitation. In or about June

1999, SANCHEZ was named the Commissioner of Streets and Sanitation. SANCHEZ continued as Commissioner until approximately June 30, 2005, when he retired from City employment.

D. Based on SANCHEZ's City employment, he was aware of, and participated in, the formal hiring process for non-policymaking positions in I&I and Streets and Sanitation.

3. Between 1993 and 2000, Individual A was a full-time salaried employee of the City, employed at IGA. From approximately 1995 through 2000, Individual A was a high-ranking official of IGA.

4. From approximately 1993 through 2005, Robert Sorich was a full-time salaried employee of the City, employed in IGA. From approximately 1995 through 2000, Sorich reported to Individual A.

5. From approximately 1977 through 2004, Jack Drumgould was a full-time salaried employee of the City. From approximately 1998 through mid-2004, Drumgould was the personnel director for Streets and Sanitation, and Drumgould reported to SANCHEZ when SANCHEZ was Commissioner. As personnel director, Drumgould administered the interview, hiring and promotion process for Streets and Sanitation.

6. Beginning in approximately April 1997 through the present, for certain periods, Aaron Delvalle was a full-time employee of the City, holding positions in various City departments, including I&I, Streets and Sanitation and the Chicago Police Department.

7. Patrick Slattery was a full-time salaried employee of the City, and from approximately 2001 through early 2006 performed personnel functions within Streets and Sanitation. During most of that period, Slattery performed personnel duties with and for Drumgould.

8. Roberto Medina was a full-time salaried employee of the City from approximately 1987 until 2004. During the mid-1990s, Medina was the personnel officer for I&I and reported to SANCHEZ. As I&I's personnel officer, Medina administered the interview, hiring and promotion process for I&I.

The Hispanic Democratic Organization

9. Formed in or about the early 1990s, the Hispanic Democratic Organization ("HDO") was a political organization with hundreds of individual participants, many of whom were City employees. Individual A was the overall leader of HDO, and SANCHEZ served as a principal organizer for HDO.

10. Based on decisions made by Individual A, SANCHEZ and other HDO officials, HDO supported political candidates in a variety of campaigns, including City aldermanic, City mayoral, Illinois state representative, Illinois state senate, suburban Chicago, statewide and federal campaigns. Typically, individual HDO participants performed voter outreach efforts on behalf of the individual candidates selected to receive HDO support ("HDO-selected candidates"). The voter outreach efforts (otherwise known as "field" activities) included, among other efforts, registering voters, obtaining signatures from registered voters on nominating petitions, delivering campaign literature door-to-door, soliciting City service requests from potential voters during canvassing efforts, and providing election-day assistance.

11. In addition to these field efforts, individual HDO participants were solicited to make financial contributions to support HDO and also to support HDO-selected candidates.

12. HDO was divided into three geographic divisions, generally known as HDO North, HDO South and HDO Southeast. During its peak years of operation, from the mid 1990s through

approximately 2004, HDO Southeast had as many as 500 individual participants who performed political work on behalf of one or more HDO-selected candidates (the “individual HDO Southeast participants”). During these years, the head of HDO Southeast was SANCHEZ and, beginning in or about 1999, SANCHEZ was assisted by Aaron Delvalle in coordinating HDO Southeast activities.

13. The primary leaders of HDO North included Medina and Individual B, an elected City official. The primary leaders of HDO South included Individual C and Individual D, elected state officials.

14. Generally, in HDO Southeast, the specific political directives were disseminated through a hierarchical system. That is, SANCHEZ, typically through Delvalle, informed “Political Coordinators,” each of whom directed certain individual HDO Southeast participants, as to the particular political assignments.

15. Beginning no later than 1994 and continuing to approximately early 2005, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere:

ALFRED SANCHEZ,

defendant herein, along with Individual A, Robert Sorich, Jack Drumgould, Aaron Delvalle, Patrick Slattery, Roberto Medina, various City employees and officials, and others known and unknown to the Grand Jury, devised and intended to devise, and participated in, a scheme and artifice to defraud the people of the City, applicants for City jobs, and the City, of money, property and the intangible right to the honest services of SANCHEZ and other City employees participating in the hiring and promotion process, and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises and material omissions, which scheme is further described below.

Overview of the Scheme

16. It was part of the scheme that:

A. While he was employed at I&I and Streets and Sanitation, SANCHEZ, together with Sorich, Delvalle and other City employees and officials, engaged in a systematic effort to provide public financial benefits, in the form of City jobs, promotions, and other job-related benefits (collectively, the “City job-related benefits”), in order to induce and reward campaign work to benefit HDO and other private political organizations.

B. In furtherance of this scheme, SANCHEZ and other co-schemers corrupted the City’s personnel process by awarding City job-related benefits in non-policymaking positions to applicants selected by SANCHEZ and IGA officials by: falsifying and causing the falsification of ratings forms; signing and causing the signing of fraudulent *Shakman* certifications; and otherwise granting preferential treatment.

C. In the case of “mass” hiring sequences, SANCHEZ negotiated a certain portion of the total available positions with IGA officials in order to award the positions to individuals selected by SANCHEZ on the basis of their work on behalf of HDO (“the SANCHEZ’s selections”). Applying political and other considerations, IGA selected the remainder of the candidates for the particular hiring sequence (the “IGA selections”).

D. The individual HDO Southeast participants who received job-related benefits included individuals who provided SANCHEZ with various personal services and things of value.

Role of HDO In Obtaining Job-Related Benefits

17. It was further part of the scheme that Delvalle, acting on SANCHEZ's behalf, informed individual HDO Southeast participants, including Political Coordinators, that requests for City job-related benefits be made through the individual's Political Coordinator.

18. It was further part of the scheme that individual HDO Southeast participants made requests for City job-related benefits to SANCHEZ, Delvalle and various Political Coordinators. Such requests included requests for a) entry-level City jobs; b) promotions to other City positions; c) increased overtime opportunities; d) transfers to more desirable work locations; e) pay increases and f) other job-related benefits on behalf of individual HDO Southeast participants, their family members and other favored persons.

19. It was further part of the scheme that, in submitting the requests to SANCHEZ and Delvalle, Political Coordinators often provided specific information regarding the individual HDO Southeast participant's level of political involvement.

20. It was further part of the scheme that co-schemers tracked and maintained records relating to City job-related requests on behalf of HDO participants, including records maintained by Delvalle for HDO, records maintained by Individual B for HDO North and records maintained at the direction of Sorich at IGA.

21. It was further part of the scheme that officials of HDO North and officials of HDO South submitted requests for City job-related benefits at Streets and Sanitation to IGA Officials and SANCHEZ on behalf of other HDO volunteers, family members and other favored individuals, as a reward for the HDO volunteers' political work.

The Mayor's Office of Inquiry and Information

22. It was further part of the scheme that, through approximately 1995, when SANCHEZ was an I&I official, I&I officials screened applications to ensure that certain individuals, including individual HDO Southeast participants, would be interviewed for certain hiring sequences at I&I.

23. It was further part of the scheme that SANCHEZ caused false and fraudulent ratings forms to be signed in order to favor SANCHEZ's selections in the award of City job-related benefits.

24. It was further part of the scheme that SANCHEZ and Medina, while officials at I&I, signed false and fraudulent *Shakman* certifications, attesting that political considerations played no role in I&I's hiring sequences, when in fact, as SANCHEZ and Medina then well knew, certain hiring decisions were based, in substantial part, on the applicant's political participation.

25. It was further part of the scheme that SANCHEZ and Medina, while officials at I&I, communicated with IGA officials in order to obtain City job-related benefits for certain HDO participants and participants in other political organizations.

Department of Streets and Sanitation

26. It was further part of the scheme that SANCHEZ and Drumgould caused certain individual HDO Southeast participants to become eligible to be interviewed for certain hiring sequences, even on occasions when the positions were closed to applications from the general public, and receipt of applications was not permitted under City hiring guidelines.

27. It was part of the scheme that SANCHEZ and Drumgould caused Streets and Sanitation and Department of Personnel officials to screen for SANCHEZ's selections, in order to ensure that these individuals would be interviewed for certain hiring sequences at Streets and Sanitation.

28. It was further part of the scheme that SANCHEZ directed Drumgould to take action on behalf of the SANCHEZ selections in order to award City job-related benefits to those individuals. SANCHEZ directed that Drumgould take action relating to the following “mass” hiring and individual hiring sequences, among others: 2004 General Foreman of Lineman, 2004 Career Service Laborer, 2004 Career Service MTD, 2003 Seasonal Laborer, 2002 Career Service MTD, 2002 Seasonal MTD and 2002 Lamp Maintenance Man.

29. It was further part of the scheme that SANCHEZ negotiated with IGA officials regarding the mass hiring sequences in order to obtain an allotment of the total available positions and in turn, award the positions to SANCHEZ’s selections.

30. It was further part of the scheme that Drumgould and Slattery and other City officials, in order to ensure that the SANCHEZ selections received City job-related benefits and to conceal the scheme, signed false and fraudulent ratings forms.

31. It was further part of the scheme that Drumgould, in order to ensure that the SANCHEZ selections received City job-related benefits and to conceal the scheme, signed false and fraudulent *Shakman* certifications, attesting that political considerations played no role in the hiring sequence.

32. It was further part of the scheme that SANCHEZ opposed the implementation of a lottery process for certain entry-level mass hiring sequences in order to retain his ability to influence the award of City job-related benefits to the SANCHEZ selections.

33. It was further part of the scheme that individual HDO Southeast participants who provided personal services to SANCHEZ in the form of home repair work, snow removal, lawn care,

yard work, as well as other gifts and things of value, received City job-related benefits at SANCHEZ's direction.

34. It was further part of the scheme that defendant SANCHEZ and other co-schemers misrepresented, concealed and hid, and caused to be misrepresented, concealed and hidden, the purposes of and acts done in furtherance of the scheme.

35. On or about December 9, 2002, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing letter informing Applicant 1 of selection for the 2002 Seasonal Motor Truck Driver position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT TWO

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. On or about December 9, 2002, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing letter informing Applicant 2 of selection for the 2002 Seasonal Motor Truck Driver position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT THREE

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about July 15, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter informing Applicant 3 of selection for the 2004 Career Service Motor Truck Driver, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT FOUR

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about March 17, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter informing Applicant 4 of selection for interview for the 2004 Career Service Motor Truck Driver position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT FIVE

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about March 17, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter informing Applicant 5 of selection for interview for the 2004 Career Service Motor Truck Driver position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT SIX

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about April 2, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter informing Applicant 6 of selection for interview for the 2004 General Foreman of Lineman position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT SEVEN

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. On or about June 16, 2004, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter informing Applicant 7 of selection for the 2004 Career Service Laborer position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT EIGHT

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about May 21, 2003, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be delivered by mail according to the direction thereon an envelope containing a letter informing Applicant 7 of selection for interview for the 2003 Seasonal Laborer position, at a Chicago, Illinois address;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT NINE

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1 through 34 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.
2. On or about April 20, 2002, at Chicago, in the Northern District of Illinois, Eastern Division,

ALFRED SANCHEZ,

defendant herein, for the purpose of executing the aforesaid scheme, and attempting to do so, did knowingly cause to be placed in the mail an envelope containing a letter addressed to Applicant 8, at a Chicago, Illinois address, informing that Applicant 8 was rejected for the 2002 Lamp Maintenance Man position;

In violation of Title 18, United States Code, Sections 1341, 1346 and 2.

COUNT TEN

The SPECIAL AUGUST 2006-2 GRAND JURY further charges:

1. The allegations of paragraphs 1(A)(i), 1(B-F), 2, 5, 6 and 9-14 of Count One of this indictment are hereby realleged and incorporated herein as if fully set forth.

2. At times material to this Count of the indictment:

A. Beginning in or about 1999 and continuing through 2005, defendant AARON DELVALLE coordinated certain political activities on behalf of HDO.

B. Within HDO Southeast, from the mid 1990s to approximately 2004, there were approximately six to eight Political Coordinators who received direction from Alfred Sanchez and, beginning in or about 1999, defendant DELVALLE, in support of the particular HDO-selected candidate.

C. During the period from approximately 1999 to 2004, individual HDO participants were told by various HDO leaders, including AARON DELVALLE and certain Political Coordinators, that requests for City job-related benefits (e.g., jobs, promotions, overtime, transfers) for individual HDO participants be made through the individual's Political Coordinator.

D. During the period from approximately the mid 1990s to 2004, individual HDO participants made requests for City job-related benefits to Political Coordinators and AARON DELVALLE, among others. Such requests included requests for a) entry-level City jobs; b) promotions to other City positions; c) increased overtime opportunities; and d) transfers and other job-related benefits.

E. For certain entry-level positions with Streets and Sanitation, such as Hand Laborer, the City implemented a lottery process whereby applicants who met certain minimum

qualifications would be selected at random from the applicant pool to receive an interview for prospective employment. The lottery system did not apply to positions of Career Service Laborer and Career Service Motor Truck Driver, among others.

3. The SPECIAL AUGUST 2006-2 GRAND JURY was conducting an investigation into possible violations of federal criminal law in connection with hiring and promotion fraud at the City, including the awarding of City job-related benefits, in exchange for political activity on behalf of organizations such as HDO. As it related to HDO Southeast, the following matters, among others, were material to the investigation:

A. Whether HDO Southeast used any system or process by which individual HDO Southeast participants could request or obtain City job-related benefits through Political Coordinators in conjunction with their political activities for HDO-selected candidates;

B. Whether defendant AARON DELVALLE had any communications with individual HDO Southeast participants regarding City job-related requests relating to individual HDO participants;

C. Whether defendant AARON DELVALLE had any role in supporting job-related requests made on behalf of individual HDO Southeast participants;

D. Whether Political Coordinators advocated, promoted, or attempted to procure City job-related benefits on behalf of individual HDO Southeast participants; and

E. Whether Political Coordinators took any steps to advance or support City job-related requests made to them by individual HDO Southeast participants.

4. On or about February 6, 2007, a letter of immunity was issued to defendant AARON DELVALLE requiring his “complete, truthful and accurate” testimony before the SPECIAL

AUGUST 2006-2 GRAND JURY. Pursuant to the letter of immunity, defendant testified before the SPECIAL AUGUST 2006-2 GRAND JURY on February 8, 2007. The letter explicitly informed DELVALLE that in the event that the United States Attorney's Office determined that DELVALLE had violated any provision of the letter of immunity or failed to give complete, accurate and truthful information and testimony, then, among other things, all statements DELVALLE made would be admissible in evidence against him in a prosecution for perjury or false statement, and in any and all other criminal proceedings hereafter brought against DELVALLE. On or about February 8, 2007, DELVALLE, who was represented by an attorney, signed the immunity letter and acknowledged its terms.

5. On or about February 8, 2007, at Chicago, in the Northern District of Illinois, Eastern Division,

AARON DELVALLE,

defendant herein, was placed under oath before testifying and was advised that his testimony was subject to the penalties of perjury before the SPECIAL AUGUST 2006-2 GRAND JURY; and knowingly made false material declarations by stating, in substance, the following:

Q: From any time from 1999 to the present, did [HDO Southeast Political Coordinator A] ever give you, provide you, names of individuals that were within his political structure that he would like to receive a job-related benefit, as I previously defined?

A: That's a difficult question. He would give me names, but not for jobs. He would request me to inquire, so, about those people.

Q: Well, tell me as best you can recall what in the seven years, what would [HDO Southeast Political Coordinator A] ask you to do?

A: He asked me if any of the people that he knew made a lottery list.

Q: And that's the extent of what he asked?

A: Yes.

* * * *

Q: And so whether it was termination issues or vacation issues or overtime or raises or promotions, I mean, you had no role in that part of [Streets and Sanitation], correct?

A: Correct.

Q: And you had no unofficial role either, correct?

A: Correct.

Q: And the entirety of your involvement as it related to coordinators or for that matter any individual people was getting names of people to check whether or not they made a lottery list?

A: Correct.

* * * *

Q: What was the source for this information that you put down [on Grand Jury Exhibit Delvalle 2]?

A: They would call me and tell me or they would just let me know, "Hey, listen. I got a guy. Can you find out if he's on the lottery list," and he'd give me the name.

Q: So again, this – consistent with your prior testimony, this is all limited to the request of whether a person is on a lottery list?

A: Correct.

* * * *

Q: And that was the sole nature of the requests that you would receive from your coordinators?

A: Yes, sir.

* * * *

Q: Other than the lottery list matters that we've discussed, okay, you have never made any attempt through official channels or unofficial channels to assist individuals with job-related benefits at Streets & Sanitation?

A: No, sir.

WHEREAS, in truth and fact, as defendant AARON DELVALLE then well knew:

A. DELVALLE participated in a process whereby HDO Southeast Political Coordinators, including HDO Southeast Political Coordinator A, submitted names of HDO Participants to DELVALLE and others in order to request and obtain job-related benefits on behalf of HDO Participants.

B. The process of job-related requests was not limited to DELVALLE making inquiries concerning "lottery lists," but in fact included efforts to coordinate and facilitate requests made by individual HDO Southeast participants, for jobs, promotions and transfers in City employment.

C. Grand Jury Exhibit Delvalle 2 was not a document limited to inquiries concerning lottery lists.

In violation of Title 18, United States Code, Section 1623(a).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY